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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
GEN PEI,

Plaintiff,

v.

MICHAEL CHERTOFF, SECRETARY OF THE U.S.
DEPARTMENT OF HOMELAND SECURITY,
EMILIO T. GONZALES, DIRECTOR OF THE U.S.
CITIZENSHIP AND IMMIGRATION SERVICES,
GERARD HEINAUER, DIRECTOR OF THE
NEBRASKA SERVICE CENTER OF THE U.S.
CITIZENSHIP AND IMMIGRATION SERVICES,
PETER D. KEISLER, ACTING ATTORNEY
GENERAL OF THE UNITED STATES,¹ and
ROBERT S. MUELLER, DIRECTOR OF THE
FEDERAL BUREAU OF INVESTIGATION,

Defendants.

ORIGINAL

USDC SDNY
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ELECTRONICALLY FILED
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07 Civ. 8189 (LAK) (FM)

ECF CASE

STIPULATION AND ORDER OF WITHDRAWAL

IT IS STIPULATED AND AGREED, by and between the undersigned counsel
for the parties, that the above-captioned action be, and hereby is, dismissed as moot,
without costs or attorney's fees to any party.

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¹ Pursuant to Federal Rule of Civil Procedure 25(d), Acting Attorney General Peter D. Keisler is automatically substituted for former Attorney General Alberto Gonzales.

Dated: January 11, 2008
New York, New York

re: Jay

Gen Pei, *pro se*
1301 Williamsburg Drive
Mahopac, New York 10541
Tel: (408) 636-3917

Dated: January 16, 2008
New York, New York

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for Defendants

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SO ORDERED:

Jah M.
UNITED STATES ~~JUDGE~~
MAGISTRATE

1/16/08